

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

BYRON A. MOYER, )  
Plaintiff, )  
v. )  
ROBERT HOFFERT, ET AL., )  
Defendants. )  
)  
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)  
Case No. 7:20CV00546  
OPINION  
By: James P. Jones  
United States District Judge

*Byron A. Moyer, Pro Se Plaintiff.*

The plaintiff, Byron A. Moyer, a Virginia inmate proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983 in September 2020, alleging that he received inadequate medical care while confined. Moyer notified the court on October 5, 2020, that he had been released from jail. Therefore, Moyer is no longer subject to the provisions of the Prisoner Litigation Reform Act that allowed him to pay the \$350 filing fee via installments withheld from his inmate trust account, as he had previously consented to do. A court order entered on October 6, 2020, directed Moyer to submit, within ten days from that date, the filing fee owed and the applicable administrative fee, a total of \$400, or to otherwise respond to the court. Moyer was advised that a failure to comply within the time limits set out in the order would result in dismissal of this action without prejudice.

The time allotted for Moyer to pay the filing costs or to otherwise respond has passed, and he has failed to do so. Accordingly, I will dismiss the action without prejudice.

A separate Final Order will be entered herewith.

DATED: October 20, 2020

/s/ James P. Jones  
United States District Judge